

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA MYKAL PETERSON,

Defendant.

CR 23-149-BLG-SPW-TJC

**FINDINGS AND
RECOMMENDATION OF
U.S. MAGISTRATE JUDGE**

The Defendant, by consent, appeared before me on April 30, 2024, under Fed. R. Crim. P. 11 for a change of plea hearing. Pursuant to a plea agreement, Defendant intended to enter a plea of guilty to Count 1 of the Indictment, which charges the crime of prohibited person in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g). When asked to describe to the Court the acts he committed that justify his plea of guilty, Defendant did not acknowledge that he knowingly possessed the firearm or ammunition at issue.

Based on the information presented at the hearing, I am unable to find a sufficient factual basis for Defendant's plea to Count 1 of the Indictment, and therefore did not accept his guilty plea.

///

///

For reasons stated on the record of the hearing, IT IS RECOMMENDED that Defendant's motion to change his plea be DENIED.

NOTICE OF RIGHT TO OBJECT

Objections to these Findings and Recommendation are waived unless filed and served within fourteen (14) days after the filing of these Findings and Recommendation. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 30th day of April, 2024.



TIMOTHY J. CAVAN
United States Magistrate Judge